

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 2-18 are pending in the present application. Claims 2-14 are amended and Claims 15-18 are added by the present amendment.

Claim amendments and new claims find support in the application as originally filed at least at page 4, line 15, to page 5, line 6. Thus, no new matter is added.

In the outstanding Office Action, Claims 10-15 were objected to; Claims 1-4, 6, 8, 9 and 11-14 were rejected under 35 U.S.C. § 102(e) as anticipated by Murphy (U.S. Pat. No. 6,564,380); Claims 5 and 7 were rejected under 35 U.S.C. § 103(a) as unpatentable over Murphy; and Claim 10 was rejected under 35 U.S.C. § 103(a) as unpatentable over Murphy in view of Berezowski et al. (U.S. Pat. No. 6,075, 551, herein "Berezowski").

Initially, Applicants and Applicants' representatives gratefully acknowledge the courtesy of a personal interview with Examiner Saltarelli and Supervisory Patent Examiner Tran on October 4, 2004. During the interview, differences between the present invention and references cited in the outstanding Office Action were discussed. Comments discussed during the interview are reiterated below.

Regarding the Notice of Non-Compliant Amendment, the claims have been properly renumbered as per the objections made in the Office Action mailed on April 7, 2006. Accordingly, Applicants respectfully submit that the Amendment as currently filed is in compliant form.

Applicants respectfully traverse the rejection of Claims 1-4, 6, 8, 9 and 11-14 under 35 U.S.C. § 102(e) as anticipated by Murphy, with respect to new Claim 15, which replaces cancelled Claim 1.

Claim 15 is directed to a method for merchandising information to a broadcast customer that includes storing merchandising information in a database, receiving changed information and automatically updating the stored information based on received changed information. Further, the method includes defining a video layout including a desired subset of the stored information and a desired screen layout using the stored information, formatting a broadcast-ready data stream including the desired subset of stored information formatted according to the desired screen layout and transmitting the broadcast-ready data stream from an Internet server to the broadcast customer.

As discussed during the interview, Murphy does not teach or suggest defining a video layout. Murphy describes a video server that provides access to a number of video feeds from different source locations.¹ Further, Murphy indicates the video feeds retrieved from the video server may include a personalized logo.² However, Murphy does not describe any defining of a video layout or any formatting according to the defining. Thus, Applicants respectfully submit that Murphy does not teach or suggest “defining a video layout including a desired subset of the stored information and a desired screen layout of the stored information [and] formatting a broadcast-ready data stream including the desired subset of stored information formatted according to the desired screen layout,” as recited in Claim 16.

Accordingly, Applicants respectfully submit independent Claim 15 and claims dependent therefrom patentably define over Murphy.

In addition, Applicants respectfully traverse the rejections of Claims 5 and 7 under 35 U.S.C. § 103(a) as unpatentable over Murphy.

Claims 5 and 7 depend from Claim 16, which as discussed above, is believed to patentably define over Murphy. Therefore, it is respectfully requested the rejection of Claims 5 and 7 be withdrawn.

¹ Murphy, Col 5, lines 1-5.

² Murphy, Col 18, lines 15-27.

Further, Applicants respectfully traverse the rejection of Claim 10 under 35 U.S.C. § 103(a) as unpatentable over Murphy in view of Berezowski.

Claim 9 depends from Claim 15, which as discussed above, is believed to patentably define over Murphy. Further, Applicants respectfully submit that Berezowski does not teach or suggest the features of the claimed invention that are lacking in the description of Murphy. Accordingly, it is respectfully requested the rejection of Claim 10 also be withdrawn.

Accordingly, Applicants respectfully submit independent Claim 16 and claims dependent therefrom are allowable.

Consequently, in light of the above discussion and in view of the present amendment, the application is believed to be in condition for formal allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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